

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CRESECIO VIDAL-MARTINEZ ET. AL., AND OTHER
EMPLOYEES SIMILARLY SITUATED

Plaintiff(s)
Petitioner(s)

INDEX #:
08 CV 1688
DATE FILED:
02/20/2008

- against -

THE PUMP RESTAURANT ET. AL.

Defendant(s)
Respondent(s)

JUDGE:
PRESKA

STATE OF NEW YORK: COUNTY OF NASSAU: ss:

TONY CONIGLIARO, BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND IS OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK

That on 03/06/2008, 02:40PM at 113 EAST 31ST STREET, NEW YORK NY 10016, deponent served the within SUMMONS IN A CIVIL ACTION & COMPLAINT AND JURY DEMAND on 31ST STREET RESTAURANT OPERATING, LLC, a defendant in the above action.

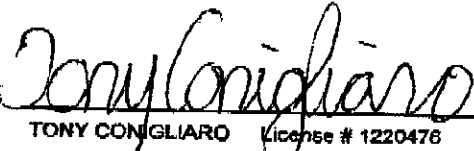
By delivering to and leaving with DANNY LACHS at the above address and that he knew the person so served to be the managing agent of the LLC..

DEPONENT DESCRIBES THE INDIVIDUAL SERVED AS FOLLOWS:

Sex M Approximate age 36 Approximate height 5'08" Approximate weight 220 Color of skin WHITE Color of hair BROWN

THE LAW OFFICE OF
JUSTIN A. ZELLER

340 WEST END AVENUE
APARTMENT #4B
NEW YORK, NY 10025
212)229-2249


TONY CONIGLIARO License # 1220476

Sworn to before me on 03/07/2008
MAUREEN MCCAFFREY NO.01MC5018583
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN SUFFOLK COUNTY
COMMISSION EXPIRES OCTOBER 4, 2009